

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

_____)	
IN RE PHARMACEUTICAL INDUSTRY)	
AVERAGE WHOLESALE PRICE)	MDL NO. 1456
LITIGATION)	Civil Action No. 01-12257-PBS
_____)	
THIS DOCUMENT RELATES TO)	Hon. Patti B. Saris
ALL CLASS ACTIONS)	Chief Mag. Judge Marianne B. Bowler
_____)	

**MOTION FOR LEAVE TO FILE REPLY BRIEF
AND SUPPORTING DECLARATION**

Pursuant to Local Rule 7.1(B)(3) Johnson & Johnson, Centocor, Inc., Kenneth Wegner, Colin Konschak, Grace Leone, Trina Gillies, Jim Bivona and Brett Beiter hereby request leave to reply to Plaintiffs' Response to Motion to Quash Subpoenas and for a Protective Order Concerning Discovery of Former Centocor Employees. The proposed reply brief and declaration seek to correct mischaracterizations of fact and law in the plaintiffs' submission and will aid the Court in considering the issues raised by this motion.

Wherefore, movants respectfully request that the Court grant leave to file the attached reply brief and declaration.

Respectfully submitted,

/s/ Andrew D. Schau

William F. Cavanaugh, Jr. (admitted pro hac vice)
Andrew D. Schau (admitted pro hac vice)
Erik Haas (admitted pro hac vice)
Adeel A. Mangi (admitted pro hac vice)
PATTERSON, BELKNAP, WEBB & TYLER LLP
1133 Avenue of the Americas
New York, NY 10036-6710
(212) 336-2000

*Attorneys for Defendants Johnson & Johnson,
Centocor, Inc., Kenneth Wegner, Colin Konschak,
Grace Leone, Trina Gillies, Jim Bivona and Brett
Beiter*

Dated: October 14, 2005

CERTIFICATE OF SERVICE

I certify that on October 14, 2005, a true and correct copy of the forgoing Motion For Leave to File Reply Brief and Supporting Declaration was served on all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to Verilaw Technologies successor entity LexisNexis File & Serve for posting and notification to all parties.

/s/ Andrew D. Schau

William F. Cavanaugh, Jr. (admitted pro hac vice)
Andrew D. Schau (admitted pro hac vice)
Erik Haas (admitted pro hac vice)
Adeel A. Mangi (admitted pro hac vice)
PATTERSON, BELKNAP, WEBB & TYLER LLP
1133 Avenue of the Americas
New York, NY 10036-6710
(212) 336-2000

*Attorneys for Defendants Johnson & Johnson,
Centocor, Inc., Kenneth Wegner, Colin Konschak,
Grace Leone, Trina Gillies, Jim Bivona and Brett
Beiter*